

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

May 22, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: _____ NM
DEPUTY

AARON MALDONADO *et al.*,

Plaintiffs,

v.

MAMMOTH ENERGY SERVICES,
INC. *et al.*,

Defendants.

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CIVIL NO. SA-21-CV-85-OLG

O R D E R

Pending before the Court is Defendants' Motion to Dismiss Plaintiff Jimmie Moore, Jr. (the "Motion to Dismiss") (Dkt. No. 38), filed on July 3, 2024, wherein Defendants represent that Plaintiff Jimmie Moore, Jr. ("Moore") did not appear at his properly noticed deposition and has otherwise failed to maintain contact with his counsel and participate in this lawsuit. *See* Dkt. No. 38 at 2. Moore did not respond. On May 13, 2025, the Court ordered Moore to show cause why his claims should not be dismissed. *See* Dkt. No. 65. Once again, Moore did not respond.

After careful consideration, the Court finds that Moore's dismissal from this action is appropriate. Moore failed to appear at his properly noticed deposition and, after being given an opportunity to explain his conduct, failed to respond. *See* FED. R. CIV. P. 37(d)(1)(A)(i). Furthermore, Moore failed to comply with the Court's order to show cause. *See* FED. R. CIV. P. 41(b). At a minimum, Moore's conduct clearly demonstrates his complete disinterest in pursuing this litigation. Accordingly, the Motion to Dismiss (Dk. No. 38) is **GRANTED**, and any claims asserted by Moore are hereby **DISMISSED**.

IT IS SO ORDERED.

SIGNED this 22 day of May, 2025.



ORLANDO L. GARCIA
United States District Judge